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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,278	11/26/2001	Bassam A. Saliba	MS1-217USC1	3819
69316	7590	10/15/2007	EXAMINER	
MICROSOFT CORPORATION ONE MICROSOFT WAY REDMOND, WA 98052			RETTA, YEHDEGA	
			ART UNIT	PAPER NUMBER
			3622	
			MAIL DATE	DELIVERY MODE
			10/15/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/995,278

Applicant(s)

SALIBA ET AL.

Examiner

Yehdega Retta

Art Unit

3622

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 17 September 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).


4. ☒ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s): _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1, 4-6, 8, 10-16, 19-24 and 47-51.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


Yehdega Retta
Primary Examiner
Art Unit: 3622

Continuation of 11. does NOT place the application in condition for allowance because: Regarding claim 1, Applicant asserts that Ganesan describes a user can sign on to a banking entity home page, and view bills from third parties in a "billing entity frame" on the banking entity home page. Applicant argues that the claim recites "resource locator (URL) associated with the third party's network site and sending an identity of the hosting entity to the third party so that the third party may identify the hosting entity in a new page; and presenting, to the particular user, the new page at the third party's network site that incorporates the user-specific data". Applicant argues Ganesan merely provides a "billing entity frame" on the banking entity home page and does not disclose, teach or suggest "sending an identity of the hosting entity to the third party so that the third party may identify the hosting entity in a new page". Applicant further argues that it is the hosting entity that presents the third party in Ganesan, whereas in the recited claims the third party presents the branding information of the bank.

Applicant states that the Examiner asserts that the claimed feature 'so that the third party may identify the hosting entity in a new page' is just intended use. Applicant asserts, "this is clearly a recitation of a function and therefore is permissible and should be given patentable weight". Applicant also argues "regardless, the Examiner has still "switched the entities" in the rejection and therefore has not supported disclosure of each and every feature of the subject claim. Accordingly, it is respectfully submitted that in light of the current amendments Ganesan does not anticipate this claim and withdrawal is respectfully requested. Examiner respectfully disagrees. Examiner would like to point out that even though the claim recites "sending an identity of the hosting entity to the third party" it does not recite the third party identifies the hosting entity in a new page". The claim recites, "so that the third party may identify the hosting entity in a new page". The claim does not recite the identity of the host is used in the new page. The claim further recites "presenting, to a particular user, the new page at the third party's network site" however does not indicate that the identity of the host is used in the new page. Therefore, the recited feature "so that the third party may identify the hosting entity in a new page" is considered intended use of the step of "sending identity of the hosting entity". Further examiner did not "switch the entities". The office action clearly indicates the entities.

Regarding claim 13, Applicant argues that the proposed modification runs against the expressed purpose of Ganesan, and therefore is improper. Applicant states, "The main function of the billing entity 56 is to provide billing data to the user entity 52 for use in creating the UI for the subscriber. The billing entity 56 also provides bill availability data to an aggregator database, whether it is located in the banking entity 54, the EPCS entity 58, or another entity, to provide notice of bill availability to subscribers. The billing entity 56 can also access legacy billing systems through the external message interface 36 of the billing entity 56, as indicated above." See Ganesan, Col. 9, Lines 31-40 (emphasis added). Thus, the Billers provide the data elsewhere, which is used to generate the user interface, and do not receive data that is used on their own webpage". Examiner respectfully disagrees. The only difference is that in Ganesan when the subscriber selects to view bills at the financial or banking entity the EPCS entity 58 presents aggregation data of new bill availability to user entity 52. A home page 140 presenting bills, for example, "electric bill", "gas bill", "phone bill", a "cable bill", a "credit card bill" icons is displayed. Then when the subscriber selects the "gas bill" icon, for example, is linked to the billing entity 56 and the billing entity 56 presents detailed bill data to the user entity 52. In Applicant's system however, when the customer activates the option on the financial institution's home page the bank or financial entity web server links to the third party's server to access the customer-specific data without exposing this transfer to the customer. This is done with the financial institution's server sending its own identity (some branding indicia (e.g., logo, background, color), and a customer ID and the third party's server uses the customer ID to retrieve the data belonging to the customer. The third party's server then employs the bank's ID and branding indicia to present the data in a Web page that is formatted, branded, and styled to resemble the financial institution's own Web pages. In this manner, the data is presented in such a way that the customer is led to believe that the financial institution is still sponsoring the customer-specific data rather than the third party. Which indicates that the customer leaves the financial entity site and is transferred to the third party site, which Ganesan does not teach. However this feature is taught in Tobin. Therefore, it would have been obvious to modify Ganesan by transferring the customer to the third party or biller site, so the third party or bill could present the bills to the consumer, which provides the billers the advantage of controlling the billing system.

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

09/995,278

Examiner

Yehdega Retta

Applicant(s)

SALIBA ET AL.

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The amendment document filed on 17 September 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Continuation of 4(e) Other: the underlined word in claim 10 is already included in the claim. Claim 22 is not indicated as amended claim.

A handwritten signature in black ink, appearing to read "Yeholaga R. A.", located in the upper right quadrant of the page.